

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367  
Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-06-267/277  
KS-06-110/118

Beginning Date: August 10, 2006  
Comments Due: September 9, 2006

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

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**Public Notice No. KS-AG-06-267/276**

**Pending Permits for Confined Feeding Facilities**

<b>Name And Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
DBK, LLC #2 Don Reith 1743 10 <sup>th</sup> Road Linn, KS 66953	NW/4 of Section 32 T03S, R03E Washington County	Big Blue River Basin

Kansas Permit No.: A-BBWS-H010

Federal Permit No.: KS0098833

This is a new permit for a new facility for 5,200 head (2,080 animal units) of swine located in 4 equally sized enclosed buildings with deep concrete pits.

Brian Brooks  
234 N. Lane Scott Rd  
Healy, KS 67850

SW/4 of Section 06  
T17S, R30W  
Lane County

Smoky Hill River Basin

Kansas Permit No.: A-SHLE-B002

This is a renewal permit for an existing facility for 900 head (450 animal units) of beef cattle weighing less than 700 pounds.

Farwell Farms  
Terry Farwell  
Rt.1, Box 39  
Seneca, KS 66538

SE/4 of Section 10  
T01S, R12E  
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S032

This is a renewal permit for an existing facility with a decrease in animal units from 820 animal units to 530 animal units. This permit is for a maximum of 700 head (280 animal units) of swine weighing more than 55 pounds, 1,000 head (100 animal units) of swine weighing 55 pounds or less, and 150 head (150 animal units) of cattle weighing more than 700 pounds for a total of 530 animal units.

Farwell Farms #2  
Terry Farwell  
RR 1, Box 39  
Seneca, KS 66538

NW/4 of Section 11  
T01S, R12E  
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S047

This is a renewal permit for an existing facility for a maximum of 990 head (396 animal units) of swine weighing more than 55 pounds for a total of 396 animal units.

Robert & James Griffith  
1082 216<sup>th</sup> Road  
Seneca, KS 66538

NE/4 of Section 22  
T01S, R12E  
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S060

This permit is for modification of an existing swine and cattle facility and for a change in name. The operation consists of three enclosed swine buildings, a swine "Cargill" unit and approximately 2.0 acres of open cattle lots. The proposed modification would convert one 500 head (200 animal unit) swine finishing building to a 1,000 head (100 animal units) swine nursery building and use the "Cargill" unit to feed cattle. The cattle operation will be expanded by adding 40 head of cattle greater than 700 pounds and 50 head of cattle weighing 700 pounds or less, with no change in the open cattle lots. The modified facility would have a maximum capacity of 1,680 head (168 animal units) of swine 55 pounds or less, 40 head (40 animal units) of cattle weighing more than 700 pounds and 200 head (100 animal units) of cattle weighing 700 pounds or less for a total of 308 animal units.

Eugene Schmitt  
P.O. Box 5  
Tipton, KS 67485

NE/4 of Section 07  
T08S, R10W

Solomon River Basin

Kansas Permit No.: A-SOMC-B009

This is a renewal permit for an existing facility for 500 head (500 animal units) of cattle weighing more than 700 pounds.

Celtic, LLC  
Aiden J. Daly  
Rt. 1, Box 300  
Tribune, KS 67879

SE/4 of Section 03  
T16S, R40W  
Greeley County

Smoky Hill River Basin

Kansas Permit No.: A-SHGL-D001

Federal Permit No.: KS0095303

This is a permit renewal and modification to address the change in ownership of the facility and to make improvements to the waste collection system. The permitted capacity is changing in order to account for the few head of calves typically waiting for shipment off site. The capacity is increasing by 50 head of calves to a new capacity of 3,000 head (4,900 animal units) of mature dairy cattle and 50 head (25 animal units) of calves for a total of 3,050 head or 4,925 animal units.

Seaboard Foods LP  
Thomason, Farms 202, 203, 205 & 207  
9000 West 67<sup>th</sup> Street, Suite 200  
Shawnee Mission, KS 66202

SW/4 & NW/4 of Section 23  
NW/4 of Section 26  
SE/4 & NE/4 of Section 26  
T34S, 41W  
Morton County

Cimarron River Basin

Kansas Permit No.: A-CIMT-H003

Federal Permit No.: KS0091928

This is a renewal permit for an existing facility for 43,200 head (17,280 animal units) of swine weighing greater than 55 pounds.

Circle L Dairy  
Bev Lasco  
1244 West 700<sup>th</sup> Avenue  
Walnut, KS 66780

SE/4 of Section 06  
T28S, R22E  
Crawford County

Neosho River Basin

Kansas Permit No.: A-NECR-M006

This is a renewal and modification of a permit for an existing facility for 68 head (95 animal units) of mature dairy cattle, 10 head (10 animal units) of replacement heifers weighing more than 700 pounds, and 20 head (10 animal units) of dairy calves weighing 700 pounds or less for an expanded total of 115.2 animal units. The modification in animal unit capacity represents livestock already in existence but not previously described.

Merlin Unruh  
913 S. Spring Lake Rd.  
Halstead, KS 67056

SE/4 of Section 20  
T23S, R02W  
Harvey County

Little Arkansas  
River Basin

Kansas Permit No.: A-LAHV-S034

This is a renewal permit for an existing facility for 1,500 head (600 animal units) of swine greater than 55 pounds.

Knight Feedlot, Inc.  
Mark Knight

E/2 of Section 23  
T19S, R08W

Lower Arkansas  
River Basin

1768 Avenue J  
Lyons, KS 67554

Rice County

Kansas Permit No.: A-ARRC-C002

Federal Permit No.: KS0116157

This is a permit for an existing, expanding facility for 22,000 head (22,000 animal units) of cattle greater than 700 pounds. The proposed construction consists of two additional pen areas, enlarging the southeast wastewater impoundment structure with two additional solid settling basins and adding a grassed waterway to divert the extraneous waters from the new proposed lots.

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**Public Notice No. KS-06-110/118**

<b>NAME AND ADDRESS OF APPLICANT</b>	<b>WATERWAY</b>	<b>TYPE OF DISCHARGE</b>
Caney, City of PO Box 129 Caney, KS 67333	Little Caney River	Treated Domestic Wastewater

Kansas Permit No. M-VE04-OO01

Federal Permit No. KS0027481

Facility Description: SE¼, SE¼, SE¼, S11, T35S, R13E, Montgomery County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen and effluent flow will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Clearview Village, Inc.  
PO Box 631  
Clearview City, KS 66019

Kill Creek via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. C-KS12-OO02

Federal Permit No. KS0090671

Facility Description: NW¼, S5, T13S, T22E, Johnson County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Dearing, City of  
PO Box 231  
Dearing, KS 67340

Onion Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-VE11-OO01

Federal Permit No. KS0048062

Legal Description: SE¼, SE¼, NW¼, S25, T34S, R15E, Montgomery County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand,

total suspended solids, and, fecal coliform. Monitoring for ammonia and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Dighton, City of  
PO Box 848  
Dighton, KS 67839

South Fork  
Walnut Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-UA10-OO01

Federal Permit No. KS0022527

Legal Description: S $\frac{1}{2}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , S29, T18S, R28W, Lane County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, sulfates, total recoverable selenium and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Haven, City of  
PO Box 356  
Haven, KS 67543

Arkansas River via  
Gar Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-AR41-OO01

Federal Permit No. KS0116815

Legal Description: SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S4, T25S, R4W, Reno County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, chlorides, and pH will also be required. Contained in the permit is a schedule of compliance requiring the permittee to provide KDHE with a plan to improve the facility to consistently meet the effluent discharge limits in this permit and to complete these improvements by no later than December 31, 2009. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Kansas Department of Corrections  
172 Highway 105  
Toronto, KS 66777

Verdigris River via  
Carlisle Branch

Treated Domestic  
Wastewater

Kansas Permit No. M-VE36-OO03

Federal Permit No. KS0089788

Facility Description: SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , S36, T26S, R13E, Woodson County, KS

Facility Name: El Dorado - Correctional Work Facility (Toronto, KS)

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Otis, City of  
PO Box 326  
Otis, KS 67565

Walnut Creek via  
Boot Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-UA31-OO01

Federal Permit No. KS0091758

Legal Description: NW¼, S36, T17S, R16W, Rush County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, total recoverable copper, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Perry, City of  
PO Box 724  
Perry, KS 66073

Old Channel of the  
Delaware River

Treated Domestic  
Wastewater

Kansas Permit No. M-KS58-OO01

Federal Permit No. KS0029084

Legal Description: SE¼, SE¼, NE¼, S27, T11S, R18E, Jefferson County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform. Monitoring for ammonia, total recoverable copper, total recoverable beryllium, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Sedan, City of  
109 N. Chautauqua  
Sedan, KS 67361

Little Caney River via  
Middle Caney Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-VE33-OO02

Federal Permit No. KS0089746

Legal Description: NE¼, SE¼, S4, T34S, R11E, Chautauqua County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **September 9,**

**2006**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-267/277, KS-06-110/118) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.